



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**David VARON**

**Confirmation No. 2837**

Serial No. 10/511,705

Art Unit: 1641

Filed: February 15, 2005

Examiner: Diramio, Jacqueline A.

For: **METHOD, SYSTEM AND KIT FOR DETECTING AN ANALYTE IN A SAMPLE**

***INFORMATION DISCLOSURE STATEMENT***

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. § 1.97-1.98. Please note the following particulars:

**[NOTE:** One only of items a, b, c, and d must be checked.]

- ☐ a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- ☒ b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

The enclosed statement is accompanied by [check one]:

- ☐ i. a certification in part (e) below as specified in 37 C.F.R. § 1.97(e), or
- ☐ ii. a check in the amount required by 37 C.F.R. § 1.17(p).

- ☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, but before payment of the issue fee.  
☐ Certification report(e) below; and  
☐ a check in the amount as required by § 1.17(p).
- ☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. § 1.97(i), for placement in the file.
- ☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]
- ☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,  
or
- ☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.  
or
- ☐ Appropriate certification is attached.
- ☒ f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.
- ☒ g. Copies of the documents are attached herewith with a completed Form PTO-1449.

and/or

[ X ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2).

[ ] The earlier application is identified as:

or

[ ] Copies of US Patents/Publications not attached as allowed in Official Gazette  
Aug. 5, 2003/ Vol. 1273, no. 1. for applications filed after June 30, 2003.

and/or

[ X ] Copies of the Bratthall, D., et al., and the Sack, D. A., et al., abstracts are not  
attached hereto and will be submitted as soon as possible.

The Examiner is respectfully requested to cite the documents listed on the attached  
Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested  
to initial in the space adjacent to the listing of each document on the Form PTO-1449, and  
return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to  
confirm that these documents have been considered by the Examiner and made of record in  
this application.

If the Examiner has any questions or wishes to discuss this application, kindly  
telephone the undersigned at the below-listed number.

Respectfully submitted,

**NATH & ASSOCIATES**

By:



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December 20, 2005  
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**Complete if Known**

*(Use as many sheets as necessary)*

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Application Number	10/511,705
Filing Date	February 15, 2005
First Named Inventor	David VARON
Art Unit	1641
Examiner Name	Diramio, Jacqueline, A.
Attorney Docket Number	26421U

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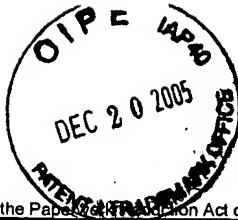
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08B (07-05)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

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First Named Inventor	David VARON
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Examiner Name	Diramio, Jacqueline, A.
Attorney Docket Number	26421U

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	GHOSSEIN, R.. A., et al, "Molecular Detection of Micrometastases and Circulating Tumor Cells in Melanoma ...," In Vivo., 14(1):237-250, (Jan.-Feb. 2000)	
	2	LENZI, A., "Male Infertility: Evaluation of Human Sperm Function and its Clinical Application," J. Endocrinol. Invest., 18(6):468-483 (June 1995)	
	3	PETERS, A. J., et al., "Sperm Antibodies," Am. J. Reprod. Immunol., 27 (3-4):156-162 (Apr.-May 1992)	
	4	GARRIDO, N., et al., "Flow Cytometry in Human Reproductive Biology," Gynecol. Endocrinol., 16(6):505-521 (Dec. 2002)	
	5	BRATTHALL, D., and ELLEN, R. P., "Determination of Immunoglobulin A in ;saliva by ...," J. Clin. Microbiol., 16(4):766-769 (Oct. 1982)	
	6	SACK, D. A., et al., "Immunobead Enzyme-Linked Immunosorbent Assay...", Infect. Immuno., 29(1):281-283 (July 1980)	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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